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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

17 The above-captioned matter was set on April 6, 2012 before this Court for a sentencing
18 hearing. The Court decided that an evidentiary hearing was necessary to resolve a dispute
19 regarding the applicable sentencing Guidelines range. For this reason, the parties jointly request
20 that the Court continue this matter to May 29, 2012, at 1:00 p.m., for an evidentiary hearing.

21 In September 2009, this Court sentenced Mr. Maddox to 24 months in the custody of the
22 Bureau of Prisons after he pleaded guilty to being a felon in possession of a firearm. Near the
23 end of his sentence, in February 2011, the Bureau of Prisons transferred Mr. Maddox to Geo
24 Care, a residential reentry center, in Oakland, California. On May 24, 2011, Mr. Maddox fled
25 from the facility and the government charged him with escape from custody, in violation of 18
26 U.S.C. § 751(a). Mr. Maddox pleaded guilty to this charge at his first district court appearance.

Stip. Req. To Continue Sentencing Hearing Date,
CR-11-00522 SBA

1 He has no plea agreement with the government.

2 The parties dispute the application of an enhancement under the sentencing guidelines.
3 After reviewing the parties' sentencing papers and the probation office's Pre-Sentence
4 Investigation Report, the Court determined that an evidentiary hearing was necessary to resolve
5 the dispute. The parties anticipate that the hearing will last approximately three hours. The
6 parties further stipulate and agree that the following witnesses will appear at the hearing without
7 the need for a subpoena:

8 GEO care staff member Michael Paladini

9 GEO care staff member Joyce Nguyen

10 Deputy United States Marshal Rabanal

11 Deputy United States Marshal Siegel

12 Federal Public Defender Investigator Frank Tamburello

13 Federal Public Defender Investigator Madeline Larsen

14 Counsel for Mr. Maddox conferred with the United States Probation Office regarding this
15 stipulation. The probation officer assigned to this case is available to appear on May 29, 2012.
16 For these reasons, the parties request that the Court set this matter for an evidentiary hearing on
17 May 29, 2012 at 1:00 p.m.

18 Because this is a sentencing stipulation, and because Mr. Maddox has already pleaded
19 guilty, the parties agree that the Speedy Trial Act does not apply.

21 DATED: April 18, 2012

/S/
BRIAN C. LEWIS
Assistant United States Attorney

24 DATED: April 18, 2012

/S/
ANGELA M. HANSEN
Assistant Federal Public Defender

ORDER

Based on the reasons provided in the stipulation of the parties above, and for good cause, the Court hereby FINDS:

1. Given that an evidentiary hearing is necessary to resolve a sentencing Guidelines dispute;
2. Given that the parties and probation office are available on May 29, 2012; and
3. Given that Mr. Maddox pleaded guilty and that the Speedy Trial Act does not apply;

Based on these findings, IT IS HEREBY ORDERED that the sentencing hearing date of April 6, 2012, scheduled at 10:00 a.m., before the Honorable Saundra Brown Armstrong, is vacated and reset for an evidentiary hearing on May 29, 2012 at 1:00 p.m.

April 23, 2012

SAUNDRA BROWN ARMSTRONG
United States District Judge